

AMENDED IN ASSEMBLY MARCH 28, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2718

Introduced by Assembly Member Bloom

February 21, 2014

An act to ~~amend Section 25302 of~~ add Section 3160.5 to the Public Resources Code, relating to ~~energy~~ oil and gas.

LEGISLATIVE COUNSEL'S DIGEST

AB 2718, as amended, Bloom. ~~Energy: planning and forecasting. Oil and gas: well stimulation treatment: notification.~~

Existing law states the policy of the state that a copy of an approved well stimulation treatment permit and information on the available water sampling and testing be provided to specified tenants of the surface property and surface property owners. Existing law requires the well owners or operators to identify the areas requiring notification and to contract with an independent entity or person who is responsible for, and shall perform, the notification. Existing law requires the independent entity to provide to the Division of Oil, Gas, and Geothermal Resources a list of specified information regarding the notification.

This bill would require the division to develop a form to be used when providing the notification. The bill would require the independent entity or person to provide to the division a copy of the notification. Because a failure of the independent entity or person to provide to the division a copy of the notification would be a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state.

Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

~~Existing law requires the State Energy Resources Conservation and Development Commission to prepare an integrated energy policy report every 2 years.~~

~~This bill would make nonsubstantive changes to that provision.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: ~~no~~ yes.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 3160.5 is added to the Public Resources*
2 *Code, to read:*

3 3160.5. (a) *The division shall develop a form that the*
4 *independent entity or person shall use when providing the*
5 *notification required pursuant to subparagraph (A) of paragraph*
6 *(6) of subdivision (d) of Section 3160. The form shall be prepared*
7 *in English and Spanish and designed to be easily understood by*
8 *a layperson not trained in oil and gas development.*

9 (b) *The independent entity or person shall provide to the division*
10 *a copy of the notification provided to a tenant of a surface property*
11 *and surface property owner or authorized agent of the owner*
12 *pursuant to subparagraph (A) of paragraph (6) of subdivision (d)*
13 *of Section 3160.*

14 SEC. 2. *No reimbursement is required by this act pursuant to*
15 *Section 6 of Article XIII B of the California Constitution because*
16 *the only costs that may be incurred by a local agency or school*
17 *district will be incurred because this act creates a new crime or*
18 *infraction, eliminates a crime or infraction, or changes the penalty*
19 *for a crime or infraction, within the meaning of Section 17556 of*
20 *the Government Code, or changes the definition of a crime within*
21 *the meaning of Section 6 of Article XIII B of the California*
22 *Constitution.*

23 ~~SECTION 1. Section 25302 of the Public Resources Code is~~
24 ~~amended to read:~~

25 ~~25302. (a) Beginning November 1, 2003, and every two years~~
26 ~~thereafter, the commission shall adopt an integrated energy policy~~
27 ~~report. This integrated report shall contain an overview of major~~

1 energy trends and issues facing the state, including, but not limited
2 to, supply, demand, pricing, reliability, efficiency, and impacts on
3 public health and safety, the economy, resources, and the
4 environment. Energy markets and systems shall be grouped and
5 assessed in three subsidiary volumes:

6 (1) Electricity and natural gas markets.

7 (2) Transportation fuels, technologies, and infrastructure.

8 (3) Public interest energy strategies.

9 (b) The commission shall compile the integrated energy policy
10 report prepared pursuant to subdivision (a) by consolidating the
11 analyses and findings of the subsidiary volumes in paragraphs (1),
12 (2), and (3) of subdivision (a). The integrated energy policy report
13 shall present policy recommendations based on an indepth and
14 integrated analysis of the most current and pressing energy issues
15 facing the state. The analyses supporting the integrated energy
16 policy report shall explicitly address interfuel and intermarket
17 effects to provide a more informed evaluation of potential tradeoffs
18 when developing energy policy across different markets and
19 systems.

20 (c) The integrated energy policy report shall include an
21 assessment and forecast of system reliability and the need for
22 resource additions, efficiency, and conservation that considers all
23 aspects of energy industries and markets that are essential for the
24 state economy, general welfare, public health and safety, energy
25 diversity, and protection of the environment. This assessment shall
26 be based on determinations made pursuant to this chapter.

27 (d) Beginning November 1, 2004, and every two years thereafter,
28 the commission shall prepare an energy policy review to update
29 analyses from the integrated energy policy report prepared pursuant
30 to subdivisions (a), (b), and (c), or to raise energy issues that have
31 emerged since the release of the integrated energy policy report.
32 The commission may also periodically prepare and release
33 technical analyses and assessments of energy issues and concerns
34 to provide timely and relevant information for the Governor, the
35 Legislature, market participants, and the public.

36 (e) In preparation of the integrated energy policy report, the
37 commission shall consult with the following entities: the Public
38 Utilities Commission, the Office of Ratepayer Advocates, the State
39 Air Resources Board, the Electricity Oversight Board, the
40 Independent System Operator, the Department of Water Resources,

1 the California Consumer Power and Conservation Financing
2 Authority, the Department of Transportation, and the Department
3 of Motor Vehicles, and any federal, state, and local agencies it
4 deems necessary in preparation of the report. To ensure
5 collaborative development of state energy policies, these agencies
6 shall make a good faith effort to provide data, assessment, and
7 proposed recommendations for review by the commission.

8 (f) The commission shall provide the report to the Public
9 Utilities Commission, the Office of Ratepayer Advocates, the State
10 Air Resources Board, the Electricity Oversight Board, the
11 Independent System Operator, the Department of Water Resources,
12 the California Consumer Power and Conservation Financing
13 Authority, and the Department of Transportation. For the purpose
14 of ensuring consistency in the underlying information that forms
15 the foundation of energy policies and decisions affecting the state,
16 those entities shall carry out their energy-related duties and
17 responsibilities based upon the information and analyses contained
18 in the report. If an entity listed in this subdivision objects to
19 information contained in the report, and has a reasonable basis for
20 that objection, the entity shall not be required to consider that
21 information in carrying out its energy-related duties.

22 (g) The commission shall make the report accessible to state,
23 local, and federal entities and to the general public.